Marine Corps Base Brig

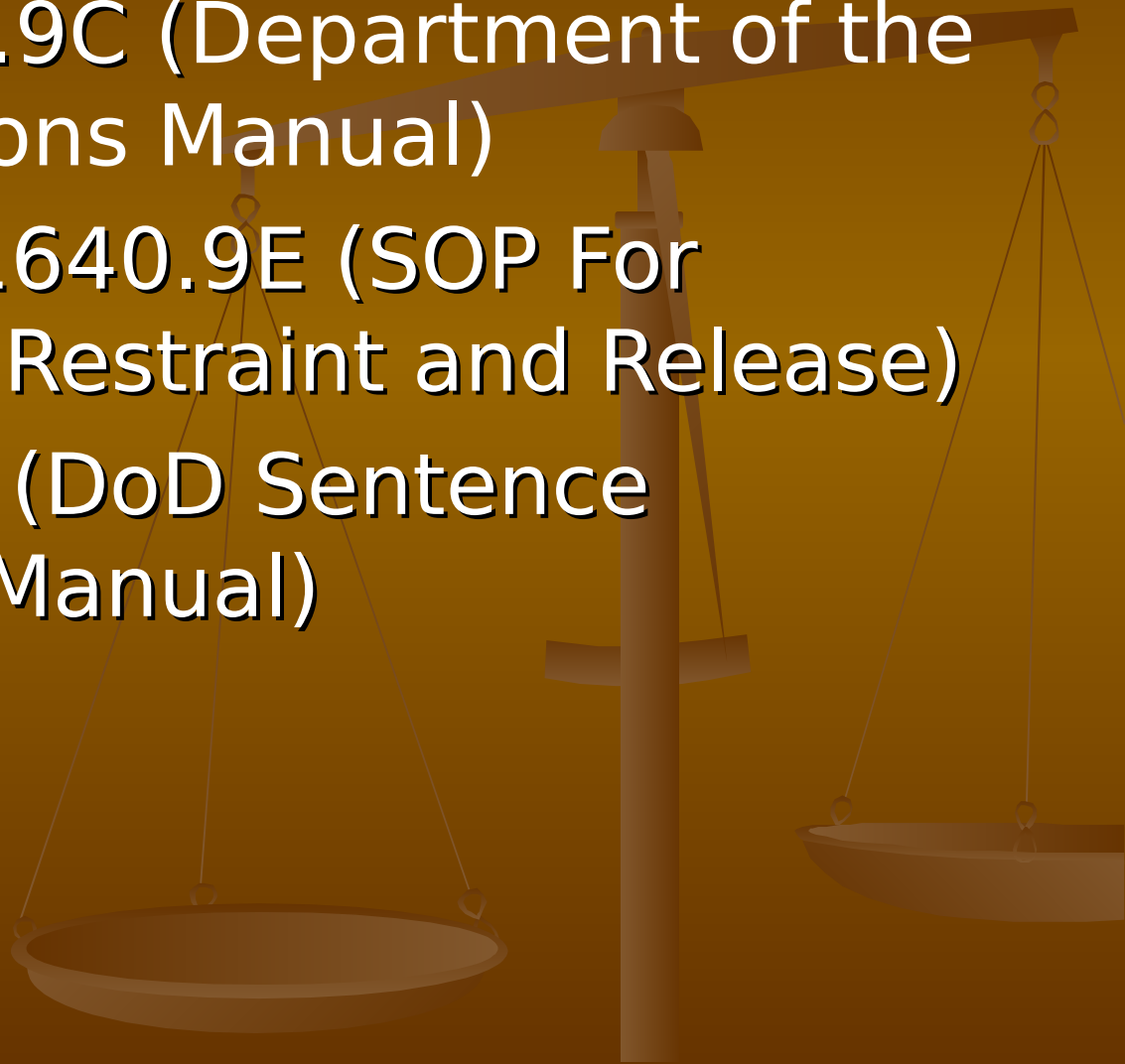
Confinement Guidelines

&

Unit Responsibilities

Commands Will Be Guided By The Following References:

- SECNAV 1640.9C (Department of the Navy Corrections Manual)
- Base Order P1640.9E (SOP For Confinement, Restraint and Release)
- DoD 1325.7M (DoD Sentence Computation Manual)



Authority to Confine

- Any commissioned officer can sign a confinement order placing an enlisted person in confinement.
- A Commanding Officer may delegate to a Warrant, Petty, or Noncommissioned Officer the authority to sign a confinement order to place an enlisted member into confinement. This delegation will be in writing.

Authority to Confine an Officer

- Only a CO in the chain of command of an officer may order an officer into pretrial confinement.
- This authority may not be delegated.
- When an officer is placed into pretrial confinement they will be escorted to confinement by an officer.

Pretrial confinement is necessary when:

- Lesser means of restraint has failed or is not appropriate.
- To ensure the presence of the accused at trial.
- The accused is likely to engage in serious misconduct.

Pretrial confinement is not used for:

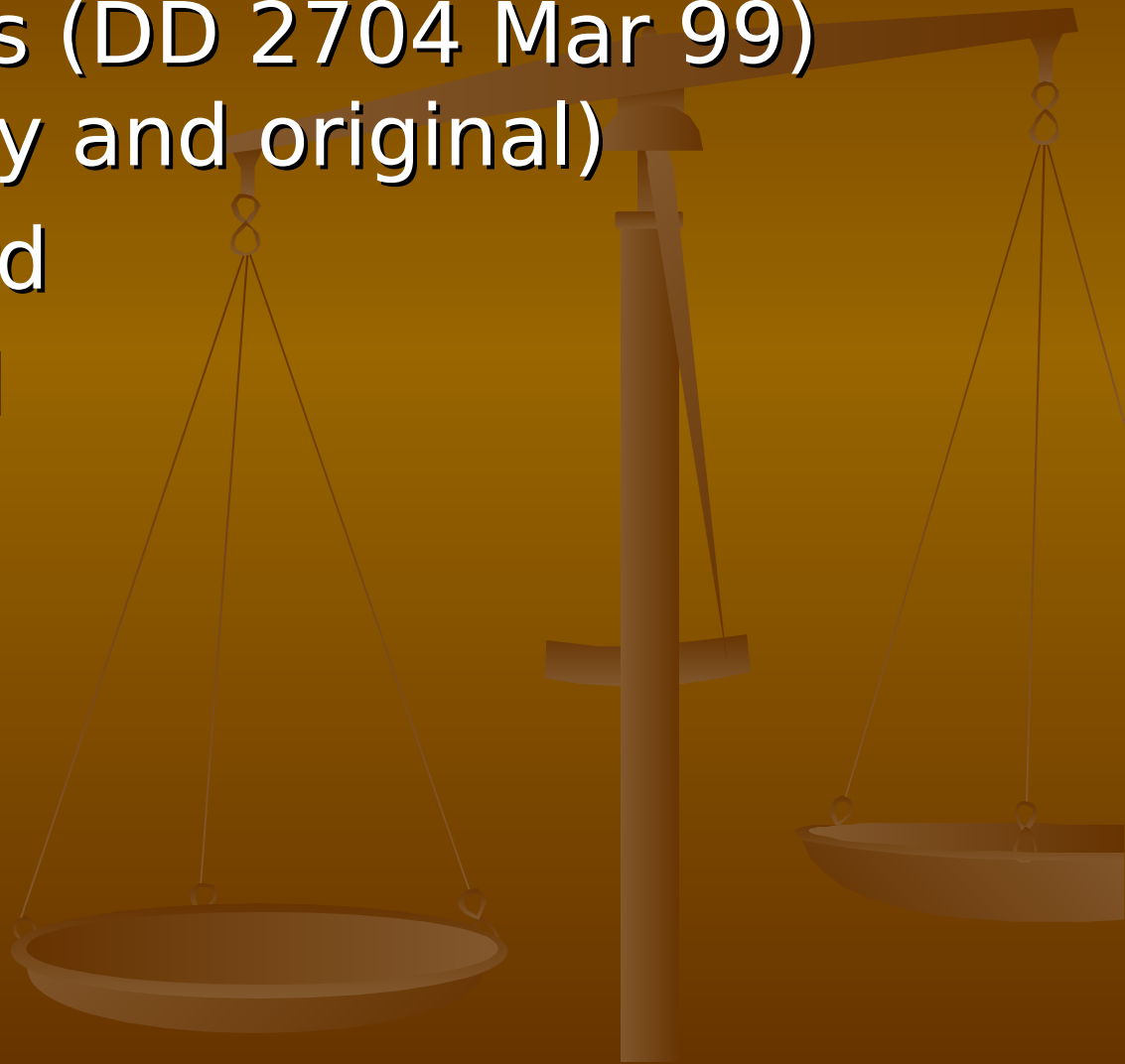
- Matter of convenience.
- Protective custody.
- Safe keeping (Suicide watch)
- Punishment.
- Detoxification.
- SCM unless approved by an officer exercising GCM jurisdiction over the individual.

ITEMS NEEDED FOR CONFINEMENT

- Confinement Order (DD 2707 **Sep 2005**) (Original)
- Confinement Physical (SF-600 Form) and confinement order must be signed by MO.
- OOD Roster if the 2707 is signed by a SNCO on duty and the document authorizing OOD to confine.
- Results of Trial (Adjudged only and Original or True Copy)
- Pretrial Agreement (Adjudged only if needed and Original or True Copy)

ITEMS NEEDED FOR CONFINEMENT Cont.

- Victim Witness (DD 2704 Mar 99) (Adjudged only and original)
- Medical Record
- Dental Record



FEMALE CONFINEMENTS

- Escorted by at least 1 female chaser.
- Processed same as male confinement.
- Searched by same sex at brig.
- Unit will contact local civilian confinement facility for availability and health and comfort items needed for confinement.
- Unit’s will escort and transport female confinees to the local civilian confinement facility.
- Females are confined and housed at the unit’s expense.

Det

CONFINEMENT ORDER

1. PERSON TO BE CONFINED		2. DATE (Y
a. NAME *(Last, First, Middle)* MARINE, JOE S	b. SSN 123-45-6789	20060419

c. BRANCH OF SERVICE	d. GRADE	e. MILITARY ORGANIZATION *(From):*
USMC	CPL/E-4	HQSPTBN, BRIG CO, CLNC

TYPE OF CONFINEMENT

3.a. PRE-TRIAL ☐ NO ☒ YES b. RESULT OF NJP ☒ NO ☐ YES

c. RESULT OF COURT MARTIAL: ☒ NO ☐ YES

TYPE: ☐ SCM ☐ SPCM ☐ GCM ☐ VACATED SUSPENSION

d. DNA PROCESSING ☐ IS ☐ IS NOT REQUIRED UNDER 10 U.S.C. 1565.

4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED:
ART 86 - UA 20060213-20060317 - APPREHENDED
ART 134X2 - BREAKING RESTRICATION

5. SENTENCE ADJUDGED:	b. ADJUDGED DATE *(YYYYMMDD):*

6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED:

7. PERSON DIRECTING CONFINEMENT

a. TYPED NAME, GRADE AND TITLE:	b. SIGNATURE	c. DATE *(YYYYMMDD)*	d. TIME
JONES, J. J. LTCOL COMMANDING OFFICER, USMC		20060419	

8.a. NAME, GRADE, TITLE OF LEGAL REVIEW AND APPROVAL	b. SIGNATURE:	c. DATE *(YYYYMMDD)*
CALL, D. D. 1STLT ADJUTANT, USMC		20060419

MEDICAL CERTIFICATE

9a. The above named inmate was examined by me at _____ *(Time)* on 20060419 *(YYYYMMDD)* and found to be ☒ Fit ☐ Unfit for confinement. I certify that from this examination the execution of the foregoing sentence to confinement ☐ will ☒ will not produce serious injury to the inmate's health.

b. The following irregularities were noted during the examination *(If none, so state):*

c. HIV Test administered on *(YYYYMMDD):* 20051201

d. Pregnancy test administered on *(YYYYMMDD):* _____ ☒ N/A

10. EXAMINER

a. TYPED NAME, GRADE AND TITLE:	b. SIGNATURE	c. DATE *(YYYYMMDD)*	d. TIME
NAVY, U.S CDR		20060419	

RECEIPT FOR INMATE

11.a. THE INMATE NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT: _____ *(Facility Name and Location)*

ON _____ *(YYYYMMDD)* AND TIME: _____ *(Time)*

b. PERSON RECEIPTING FOR INMATE TYPED NAME, GRADE AND TITLE:	c. SIGNATURE:	d. DATE *(YYYYMMDD)*	e. TIME

CONFINEMENT ORDER

1. PERSON TO BE CONFINED		2. DATE (YYYYMMDD)
a. NAME (Last, First, Middle): MARINE, JOE S	b. SSN: 123-45-6789	20060419
c. BRANCH OF SERVICE: USMC	d. GRADE: CPL/E-4	e. MILITARY ORGANIZATION (From): HQSPTBN, BRIG CO, CLNC

TYPE OF CONFINEMENT

3.a. PRE-TRIAL [X] NO [ ] YES — b. RESULT OF NJP [X] NO [ ] YES

c. RESULT OF COURT MARTIAL: [ ] NO [X] YES

TYPE: [ ] SCM [X] SPCM [ ] GCM [ ] VACATED SUSPENSION

d. DNA PROCESSING [X] IS [ ] IS NOT REQUIRED UNDER 10 U.S.C. 1565.

4. OFFENSES/CHARGES OF UCMJ ARTICLES VIOLATED:
ART 86 - UA 20060213-20060317 - APPREHENDED
ART 134X2 - BREAKING RESTRICATION

5. SENTENCE ADJUDGED:	b. ADJUDGED DATE (YYYYMMDD):
CONFINEMENT FOR 6 MONTHS, FORFEITURE $849 FOR 6 MONTHS, REDUCTION TO E-1, BAD CONDUCT DISCHARGE	20060419

6. IF THE SENTENCE IS DEFERRED, THE DATE DEFERMENT IS TERMINATED:

7. PERSON DIRECTING CONFINEMENT

a. TYPED NAME, GRADE AND TITLE:	b. SIGNATURE	c. DATE (YYYYMMDD)	d. TIME
JONES, J. J. LTCOL COMMANDING OFFICER, USMC		20060419	

8.a. NAME, GRADE, TITLE OF LEGAL REVIEW AND APPROVAL	b. SIGNATURE:	c. DATE (YYYYMMDD)
CALL, D. D. 1STLT ADJUTANT, USMC		20060419

MEDICAL CERTIFICATE

9a. The above named inmate was examined by me at _____ (Time) on 20060419 (YYYYMMDD) and found to be [X] Fit [ ] Unfit for confinement. I certify that from this examination the execution of the foregoing sentence to confinement [ ] will [X] will not produce serious injury to the inmate's health.

b. The following irregularities were noted during the examination *(If none, so state)*:

c. HIV Test administered on *(YYYYMMDD)*: 20051201

d. Pregnancy test administered on *(YYYYMMDD)*: _____ [X] N/A

10. EXAMINER

a. TYPED NAME, GRADE AND TITLE:	b. SIGNATURE	c. DATE (YYYYMMDD)	d. TIME
NAVY, U.S CDR		20060419	

RECEIPT FOR INMATE

11.a. THE INMATE NAMED ABOVE HAS BEEN RECEIVED FOR CONFINEMENT AT: _____ (Facility Name and Location)

ON _____ (YYYYMMDD) AND TIME: _____ (Time)

b. PERSON RECEIPTING FOR INMATE TYPED NAME, GRADE AND TITLE:	c. SIGNATURE:	d. DATE (YYYYMMDD)	e. TIME

Negative

VICTIM/WITNESS CERTIFICATION AND ELECTION CONCERNING INMATE ST

(This form is exempt from Freedom of Information Act release.)

PRIVACY ACT STATEMENT

AUTHORITY: 42 U.S.C. 10606 et sec., Victim's Rights and Restitution Act of 1990; 18 U.S.C. 1501 et sec., Vict Protection Act of 1982.

PRINCIPAL PURPOSES: To inform victims and witnesses of their post-trial rights; to determine whether the victim or witness of a crime elects to be notified of changes in the confinement status of a convicted criminal offender; and to record the election by the victim or witness of their desire to be notified about subsequent changes in inmate status.

ROUTINE USES: None.

DISCLOSURE: Voluntary; however, failure to provide identifying information will prevent the corrections facility from notifying victim or witness of changes in a criminal offender's status.

SECTION I - ADMINISTRATIVE INFORMATION

Installation MCB, Camp Lejeune City Camp Lejeune State NC ZIP Code 28542

Incident Number _____ Organizational Identifier (ORI) _____

SECTION II - CERTIFICATION OF NO VICTIM OR WITNESS

(Complete this section only if there are no victims or witnesses who are entitled to notification under the Victim's Rights and Restitution Act of 1990, and DoD Instruction 1030.2.)

As representative for the Government in the court-martial case of United States v. Marine, Joe S. *(Name of accused) (Last, first, middle initial)*,

123-45-6789 *(Social Security Number)*, convened by 2-06, 12 December 2006, Brig Co, HqSpt Bn *(Court-martial convening order number, date, and issuing command)*,

I certify that this case does not involve a victim or witness entitled to receive information about the confinement status of the defendant as required by the Victim's Rights and Restitution Act of 1990 (Public Law 101-647; 104 Stat. 4820).

_____ *(Signature of person certifying)*

_____ *(Typed name (Last, first))*

_____ *(Date) (YYYYMMDD)*

_____ *(Grade and title)*

SECTION III - CERTIFICATION OF ADVICE TO VICTIM(S) AND WITNESS(ES)

(Complete this section when there are victims or witnesses entitled to notification.)

I certify that on this date I personally notified the victim(s) and witness(es) in the court-martial case of United States v.

_____ *(Name of accused) (Last, first, middle initial)*, _____ *(Social Security Number)*,

convened by _____ *(Court-martial convening order number, date, and issuing command)*,

whose sentence included confinement, of their right under the Victim's Rights and Restitution Act of 1990 (Public Law 101-647, 104 Stat. 4820), to receive information about the status of the inmate, to include length of sentence, anticipated earliest release date, likely place of confinement, the possibility of transfer, and the right to receive notification of a new place of confinement. I advised of the possibility of parole or clemency with an explanation of these terms. Additionally, I advised of the right to prior notification of the inmate's parole hearings, release from confinement, escape and death. I advised that to receive notification of the inmate's transfer, parole hearings, and release from confinement, the victim or witness must provide the information required in Section IV of this form. I advised all victims and witnesses that if they elect to terminate or reinitiate notifications, or if they change their address listed above, they must contact the Military Service Central Repository listed in Section V.

_____ *(Signature of person providing notification)*

Doe, John J. *(Typed name (Last, first))*

3/20/2006 *(Date) (YYYYMMDD)*

Captain, Trial Counsel *(Grade and title)*

VICTIM/WITNESS CERTIFICATION AND ELECTION CONCERNING INMATE S

(This form is exempt from Freedom of Information Act release.)

PRIVACY ACT STATEMENT

AUTHORITY: 42 U.S.C. 10606 et sec., Victim's Rights and Restitution Act of 1990; 18 U.S.C. 1501 et sec., Victim and Witness Protection Act of 1982.

PRINCIPAL PURPOSES: To inform victims and witnesses of their post-trial rights; to determine whether the victim or witness of a crime elects to be notified of changes in the confinement status of a convicted criminal offender; and to record the election by the victim or witness of their desire to be notified about subsequent changes in inmate status.

ROUTINE USES: None.

DISCLOSURE: Voluntary; however, failure to provide identifying information will prevent the corrections facility from notifying victim or witness of changes in a criminal offender's status.

SECTION I - ADMINISTRATIVE INFORMATION

Installation MCB, Camp Lejeune City Camp Lejeune State NC ZIP Code 28542

Incident Number _____ Organizational Identifier (ORI) _____

SECTION II - CERTIFICATION OF NO VICTIM OR WITNESS

(Complete this section only if there are no victims or witnesses who are entitled to notification under the Victim's Rights and Restitution Act of 1990, and DoD Instruction 1030.2.)

As representative for the Government in the court-martial case of United States v. _____, *(Name of accused) (Last, first, middle initial)*

_____, *(Social Security Number)* convened by _____, *(Court-martial convening order number, date, and issuing command)*

I certify that this case does not involve a victim or witness entitled to receive information about the confinement status of the defendant as required by the Victim's Rights and Restitution Act of 1990 (Public Law 101-647; 104 Stat. 4820).

_____ *(Signature of person certifying)*

_____ *(Typed name (Last, first))*

_____ *(Date) (YYYYMMDD)*

_____ *(Grade and title)*

SECTION III - CERTIFICATION OF ADVICE TO VICTIM(S) AND WITNESS(ES)

(Complete this section when there are victims or witnesses entitled to notification.)

I certify that on this date I personally notified the victim(s) and witness(es) in the court-martial case of United States v. Marine, Joe S., *(Name of accused) (Last, first, middle initial)* 123 45 6789, *(Social Security Number)* convened by 2-06, 12 December 2006, Brig Co, HqSpt Bn, *(Court-martial convening order number, date, and issuing command)*

whose sentence included confinement, of their right under the Victim's Rights and Restitution Act of 1990 (Public Law 101-647, 104 Stat. 4820), to receive information about the status of the inmate, to include length of sentence, anticipated earliest release date, likely place of confinement, the possibility of transfer, and the right to receive notification of a new place of confinement. I advised of the possibility of parole or clemency with an explanation of these terms. Additionally, I advised of the right to prior notification of the inmate's parole hearings, release from confinement, escape and death. I advised that to receive notification of the inmate's transfer, parole hearings, and release from confinement, the victim or witness must provide the information required in Section IV of this form. I advised all victims and witnesses that if they elect to terminate or reinitiate notifications, or if they change their address listed above, they must contact the Military Service Central Repository listed in Section V.

_____ *(Signature of person providing notification)*

Doe, John J. *(Typed name (Last, first))*

3/20/2006 *(Date) (YYYYMMDD)*

Captain, Trial Counsel *(Grade and title)*

SECTION IV - ELECTION TO BE NOTIFIED

The victim(s) and witness(es) listed below have elected the right to receive information about changes in the status of the inmate by initialing the "Yes" block. If the inmate is transferred, they understand that they will be notified of the address of the new confinement facility. They also understand that if they move or their telephone number changes, they must notify the confinement facility of the new address or telephone numbers in order to be notified.

LIST ALL VICTIMS AND WITNESSES INVOLVED IN THE CASE. *(Indicate whether a victim or witness by entering "V" or "W" in the appropriate column. Those who elect to be notified of inmate status changes should initial in the "Yes" column; otherwise initial the "No" column.)*

NAME (Last, First, Middle Initial)	ADDRESS (Street, Apartment No., City, State, ZIP Code)	TELEPHONE NUMBER (Include Area Code)	V OR W	NOTIFY	
				YES	NO
SMITH, BOB L.	123 Anyplace Dr Anyplace, NC 28542	910-111-1111	V	X	
JONES, GEORGE J.	456 Anywhere drive Anyplace, NC 28542	910-111-1111	W	X	
BROWN, FRED H.	789 Overthere Street Nextlown NC 28765	910-111-1111	W		X

Please note
DD 2704 can only be faxed when it is Negative and contains no information on page 2.

SECTION V - DISTRIBUTION

ADDRESSES *(Include 9-digit ZIP Code and telephone number.)*

MILITARY SERVICE CENTRAL REPOSITORY
HQMC (PSL) CORRECTIONS BRANCH
VICTIM/WITNESS REPOSITORY CENTER
2 NAVY ANNEX
WASHINGTON, DC 20380
(703) 614-1480

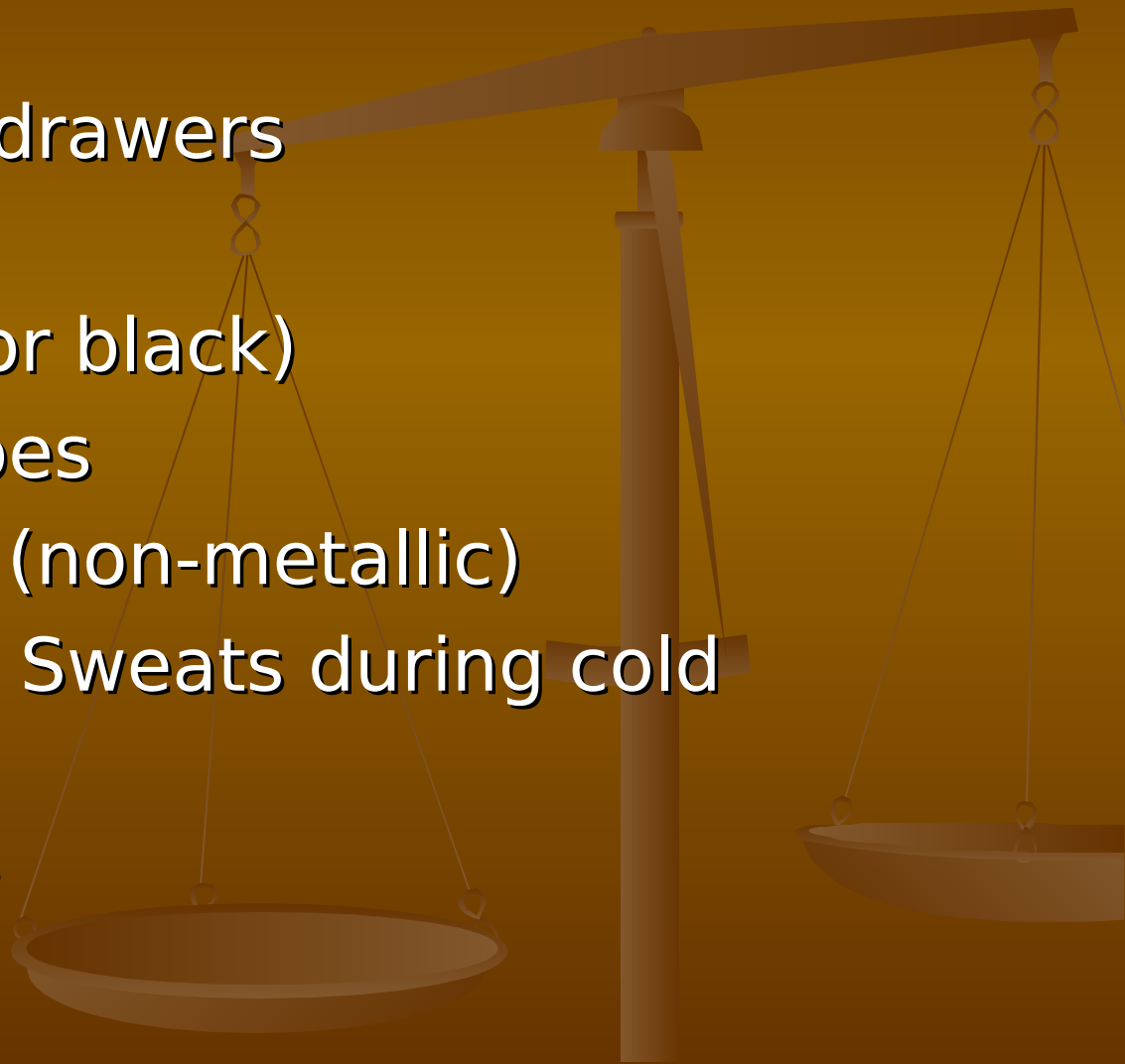
LOCAL CONFINEMENT FACILITY *(Name and address)*
MARINE COPRS BASE BRIG
PSC BOX 20140
CAMP LEJEUNE, NC 28542
(910) 451-1038

LAW ENFORCEMENT/SPECIAL INVESTIGATION
CRIMINAL INVESTIGATIVE DIVISION (CID)
PROVOST MARSHALL'S OFFICE CAMP LEJEUNE, NC
(910) 451 2571
NAVAL CRIMINAL INVESTIGATIVE SERVICE
CAMP LEJEUNE, NC 28542
(910) 451-8071

VICTIM/WITNESS *(Individual will receive a copy with all other victim/witness addresses blacked out.)*

CLOTHING REQUIRED FOR CONFINEMENT

- 6 Green T-shirts
- 6 White skivvie drawers
- 6 Black socks
- 1 Pr Boots (tan or black)
- 1 Pr running shoes
- 1 Pr boot bands (non-metallic)
- 1 Pr PT shorts + Sweats during cold months
- 2 Pr white socks



HEALTH AND COMFORT ITEMS (MAXIMUM AMOUNT ALLOWED)

- 10 Disposable cheap razors
- 1 Can shaving cream (no edge or cork in bottom)
- 1 Tooth brush/case
- 2 Tubes toothpaste
- 4 Bars of soap
- 1 Soap dish
- 2 White cloths
- 2 White bath towels
- 4 Deodorants (stick only)
- 1 comb or brush (>5 in.)
- 1 Nail clipper (small)
- 4 Pads writing paper
- 40 Stamped envelopes
- 2 Pens (no spring)
- 2 Cans Boot polish
- 1 Boot brush/cloth
- 1 Bottle of shampoo
- 1 Pr shower shoes

REGULATIONS ON ITEMS

- No opened or used health and comfort items will be accepted.
- It is recommended that the person being confined have $75.00.
- The command is responsible for the initial inventory.
- The Brig PX will be used to replace items being used at the individuals expense.

UNIFORM FOR COURT

- Unit is responsible for uniform worn to court by the confinee.
- Uniform is stored at the unit.
- Brought to facility day of court and taken back to unit after court.
- Unit is responsible for fit, cleanliness, and condition of uniform and other supporting items.

INITIAL REVIEW OFFICER

- 72 Hour letter.
- IRO hearing will be held within 7 days of confinement.
- The IRO will find:

Pretrial confinement is warranted or

Order his release to the unit.

COMMAND VISITS

- Command visits on Friday (weekly).
- Will go on the day prior if on a 96.
- SNCO/Officer will conduct.
- Sgt’s are authorized to conduct visits with a letter from their Commanding Officer.
- Visitors will complete the visiting officer form and take back to Commanding Officer for action.

APPOINTMENTS

- Units are responsible for all confinee appointments while confined in the brig.
- Medical/Dental/Legal
- Unit’s will need authorized chasers, driver, and government transportation or rent a car to transport confinee.
- Driver’s can’t be chasers unless the prisoner is an installation custody prisoner.

END OF SENTENCE RELEASES

- Prisoners will be released, on the day of their release, to a SNCO or above prior to 1600.
- The unit will be contacted by this facility the working day prior to his release.
- NCO’s can pick up releases with prior approval from the brig.
- The individual picking up the release does not have to be a chaser or use government transportation.

PRETRIAL RELEASES

- Even though any officer can place someone into confinement only the individuals commanding officer can request his release.
- A completed 2718 signed by the commanding officer stating “Pretrial confinement no longer deemed necessary” will enable his release from confinement.

OTHER RELEASES ON THE REMARKS PART OF THE 2718

- “Remainder of sentence is remitted.” by Commanding officer.
- “Remainder of sentence is suspended.” by Commanding officer.
- “Separation in lieu of trial.” and a copy of the letter with the 2718.

ANY QUESTIONS

CWO2 HERSHMAN

BRIG OFFICER

451-1308